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Counsel for Defendant Marshawn Jones

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MARSHAWN JONES,

Defendant.

No. CR-09-0970 MMC

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING STATUS
DATE FROM FEBRUARY 10, 2010
TO FEBRUARY 17, 2010 AND
EXCLUDING TIME UNDER 18 U.S.C.
§ 3161

The parties are scheduled to appear before this Court on February 10, 2010 at 2:30 p.m. for setting or change of plea. The defense requests that the matter be continued by one week to February 17, 2010 (or the next date convenient to the Court) for the following reason: defense counsel had a contact visit with Mr. Jones at North County Jail on February 4, 2010, at which time it became clear that an additional meeting was necessary; the next available contact visit is on the afternoon of February 9, 2010, but this will not give the parties sufficient time to complete plea negotiations and submit a plea agreement to the Court in the event that the case is going to resolve by plea. The government has no objection to that request.

STIP. AND ORDER CONT. STATUS DATE
AND EXCLUDING TIME
No. CR-09-0970 MMC

The parties also agree that the time between February 10, 2010 and February 17, 2010 should be excluded under the Speedy Trial Act. The continuance is necessary for effective preparation of counsel, 18 U.S.C. § 3161(h)(7)(A) and (h)(7)(B)(iv), and the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

DATED: February 5, 2010

/s/
MATT MCCARTHY
Assistant United States Attorney

DATED: February 5, 2010

/s/
SHAWN HALBERT
Assistant Federal Public Defender

For the reasons stated above, the Court finds that the continuance of time for the next hearing before this court from February 10, 2010 to February 17, 2010 is warranted because the failure to grant the requested continuance would deny the defense effective preparation of counsel; thus, the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161 (h)(7)(A), (h)(7)(B)(iv).

SO ORDERED.

DATED: February 8, 2010


THE HONORABLE MAXINE M. CHESNEY
United States District Court Judge